

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

ROGELIO ST. ROSE,)	
)	CIVIL ACTION NO. 1:13 cv 06385
Plaintiff,)	(WFK) (SMG)
)	
v.)	
)	
VERIZON NEW YORK, INC.)	CONSENT MOTION OF DEFENDANT
)	FOR POSTPONEMENT OF INITIAL
Defendant.)	SCHEDULING CONFERENCE
)	
-----)	

Now comes Defendant Verizon New York, Inc., by and through its undersigned counsel, and with the consent of counsel for Plaintiff respectfully requests a two-week postponement of the initial conference currently scheduled for January 16, 2014 at 11:00 a.m., as follows:

1. An initial scheduling conference is currently scheduled before Chief Magistrate Judge Gold for January 16, 2014 at 11:00 a.m.
2. No prior requests for a postponement of the initial conference have been requested or granted.
3. Counsel for Plaintiff Rogelio St. Rose has consented to the postponement of the conference requested herein.
4. Verizon requests that the initial conference be postponed for two weeks, i.e., to January 30, 2014 or to such later date as is convenient for the Court. The reason for this request is to facilitate the ongoing settlement discussions of the parties, as follows:
 - (A) Since the filing of the Complaint in this action, the parties have been pursuing settlement discussions.

(B) Following the conclusion of the pre-motion conference held before Judge Kuntz on December 30, 2013, counsel for Mr. St. Rose agreed to produce some additional information and financial calculations to facilitate the parties' settlement discussions. That additional information has recently been produced and is now being reviewed by Verizon.

(C) The two-week postponement is requested to provide sufficient time for Verizon to complete its review of the materials produced by Plaintiff, and to thereafter continue the parties' ongoing settlement discussions.

5. If the postponement of the conference is granted, counsel for the parties would be available to attend the rescheduled conference on the following dates: January 30th, February 4th, February 5th, or February 6th. In the event none of these dates are compatible with the Court's schedule, counsel will consult further and provide additional available dates.

6. The postponement requested herein will not affect any other dates or deadlines in effect in the case.

7. A proposed order is attached hereto for the Court's consideration.

Dated: New York, New York
January 10, 2014

DUANE MORRIS LLP

By: s/ Joanna R. Varon

Joanna R. Varon
1540 Broadway
New York, NY 10036
(212) 692-1000

James P. Hollihan, Esq.
600 Grant Street, 50th Floor
Pittsburgh, PA 15219
(412) 497-1040

Attorneys for Defendant,
Verizon New York, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

ROGELIO ST. ROSE)	
Plaintiff,)	CIVIL ACTION NO. 1:13 cv 06385
)	(WFK) (SMG)
v.)	
)	
VERIZON NEW YORK, INC,)	
)	
Defendant.)	
-----)	

ORDER OF COURT

AND NOW, this ____ day of January, 2014, upon consideration of the foregoing Consent Motion of Defendant for Two-Week Postponement of Initial Scheduling Conference, it is hereby ORDERED that the initial conference in this case currently scheduled for January 16, 2014 is rescheduled to _____, 2014 at _____.m.

Chief United States Magistrate Judge